

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

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UNITED STATES DISTRICT COURT

for the
Florence District of South CarolinaOSMAN OZSUSAMLAR

Petitioner

v.

Case No. _____

(Supplied by Clerk of Court)

B. M. ANTONELLI, WARDEN

Respondent

(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Osman Ozsusamlar
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: FCI - Williamsburg
(b) Address: P.O. Box 340
Salters, South Carolina 29590
(c) Your identification number: 53271-054
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: Southern District of
New York, New York.
(b) Docket number of criminal case: 05-cr-1077 (PKL).
(c) Date of sentencing: 188 months.
☐ Being held on an immigration charge
☒ Other (explain): One count Murder for Hire; One count Conspiracy
Murder for Hire; One count Conspiracy Extortion.

Decision or Action You Are Challenging

5. What are you challenging in this petition:

- ☒ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)
- ☐ Pretrial detention
- ☐ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings
- ☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Administrative Remedy Procedures(b) Docket number, case number, or opinion number: See Following info.

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Have been disallowed GCT in the event that the DHO had no jurisdiction to sanction disallowed GCT. Also other Losses imposed by the DHO was unauthorized see following for full detail.

(d) Date of the decision or action: 5-31-2007**Your Earlier Challenges of the Decision or Action**7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: See following Administrative Remedy packet attached hereto in support.(2) Date of filing: See following Adm. Remedy packet attached hereto in support.(3) Docket number, case number, or opinion number: 918654-A1(4) Result: See packet attached hereto, SUPRA.(5) Date of result: See packet attached hereto in support.(6) Issues raised: Restoration of GCT.

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(b) If you answered "No," explain why you did not appeal: N/A

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: See attached packet hereto, SUPRA.

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: N/A

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: See attached packet hereto, SUPRA.

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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(b) If you answered "No," explain why you did not file a third appeal:

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes ☐ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes ☒ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

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- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____
- _____
- _____
- _____
- _____
- _____
- _____

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☐ Yes

☒ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: _____
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☐ No

If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____
- _____
- _____
- _____
- _____

- (d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____

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(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

_____12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

_____**Grounds for Your Challenge in This Petition**

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: Petitioner should be restored the full loss of GCT
Due to the DHO Lack of Jurisdiction to impose such sanction.

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(a) Supporting facts (*Be brief. Do not cite cases or law.*):

Petitioner is a native of Turkey, who, when was first arrested and detained in the U.S.A. knew no English. However, while sitting in the jail, Petitioner had a Jailhouse Lawyer to write a letter to the U.S. District Judge, assuming that the letter was legitimately written. Instead, the letter was incriminating to Petitioner's case and character. --- SEE ATTACH NEXT PAGE CONTINUING

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes☐ No**GROUND TWO:**(a) Supporting facts (*Be brief. Do not cite cases or law.*):

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes☐ No**GROUND THREE:**(a) Supporting facts (*Be brief. Do not cite cases or law.*):

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes☐ No

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... A hearing was held by the U.S. District Judge, The District Judge overlooked the letter's intent and chose not to prosecute Petitioner for the letter after it was explained to the judge that a jailhouse lawyer had vindictively and maliciously wrote the incriminating letter on petitioner's behalf. Despite this fact, the BOP chose to impose sanctions toward Petitioner - resulting in 27 Disallowed GCT as well as other sanctions --- See: Administrative Remedy packet, attached hereto in support.

GROUND FOUR:(a) Supporting facts (*Be brief. Do not cite cases or law.*):

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: Fully restore the loss of 27 disallowed GCT; Grant Petitioner extra GCT for the following years listed here: 4 years time spent in ADX; 2 years spent in USP; and last 4 years spent in FCI (High and Medium Custody)- due to the fact that Petitioner has Camp Points. Petitioner's designation and Computation has long been affected by the 2007 infraction averred above and should be corrected for all of the reasons provided above.

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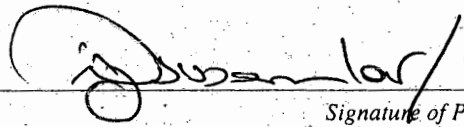
Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

February 15TH, 2018

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 2-15-2018

 Osman Ozsusanlar
Signature of Petitioner

Signature of Attorney or other authorized person, if any